

The resolution as amended was adopted by the following vote:

Yeas—22.

Atlee.	McGee.
Burns.	Miller.
Davidson.	Neal.
Gough.	Odell.
Greer.	Patterson.
Hanger.	Potter.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Lloyd.	Yett.

Nays—4.

Linn.	Sebastian.
Ross.	Stafford.

Absent.

Stone.

Absent—Excused.

Dibrell.	Morriss.
Goss.	

"We vote for the resolution for the reason that we believe that the contract is without authority in law, and for no other reason.

"DAVIDSON,
"GREER."

Senator Miller moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

Tabled.

Senator Potter moved to adjourn until 10 o'clock a. m. tomorrow.

Senator Kerr moved to adjourn until 10 o'clock a. m. next Monday.

Question being on the longest time first, the motion of Senator Kerr was adopted and the Senate adjourned until 10 o'clock a. m. next Monday.

FORTY-FOURTH DAY.

Senate Chamber,
Austin, Texas, Monday, March 13, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Kerr.
Burns.	Lewis.
Davidson.	Linn.
Dibrell.	Lloyd.
Goss.	Miller.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Potter.
James.	Ross.
Johnson.	Sebastian.

Stafford.
Terrell.
Turney.

Wayland.
Yantis.
Yett.

Absent.

Gough.
McGee.
Neal.
Odell.
Stone.

Prayer by the Chaplain, Rev. Dr. Den-
son.

Pending reading of the Journal of Fri-
day,

On motion of Senator Patterson, the
same was dispensed with.

EXCUSED.

On motion of Senator Hanger, Senator
Odell was excused for today and tomor-
row, on account of important business.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 10, 1899.

*Hon. Jas. N. Browning, President of the
Senate.*

SIR: Your Committee on Towns and
City Corporations, to whom was referred
Senate bill No. 235, being a bill to be
entitled "An Act to amend Section 136,
of the Acts of the Twenty-first Legisla-
ture of 1889, page 57, of the Special Laws
of the said Legislature, granting a char-
ter to the city of El Paso, etc.,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do* pass.

Floor report by Miller, James, Ross,
Stafford, Greer and Hanger.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 12, 1899.

*Hon. Jas. N. Browning, President of the
Senate.*

SIR: Your Committee on Towns and
City Corporations, to whom was referred
Senate bill No. 245, being a bill to be
entitled "An Act to repeal an act to in-
corporate the town of Jacksonville, in
Cherokee county, Texas, passed at the
session of the Thirteenth Legislature,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do* pass.

Floor report—Miller, James, Ross,
Burns, Hanger.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 10, 1899.

*Hon. Jas. N. Browning, President of the
Senate.*

SIR: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 215, being a bill to be entitled "An Act defining the offense of defrauding a hotel or boarding house keepers, and fixing a penalty therefor,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,

Austin, Texas, March 10, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 170, being a bill to be entitled "An Act relating to county, city and town bonds, to provide for refunding, paying and exchanging the same, to issue new bonds for such purposes and to regulate the sale or exchange thereof,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,

Austin, Texas, March 10, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 157, being a bill to be entitled "An Act authorizing county judges to issue writs of attachment for the detention and return of minors who have gone beyond the control of their guardian,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,

Austin, Texas, March 10, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate Substitute bill No. 133, being a bill to be entitled "An Act to prescribe the time for holding the terms of the district court of the Thirty-sixth Judicial District of the State of Texas, and to repeal all laws or parts of laws in conflict with this act,"

And find the same correctly engrossed.

JAMES, Chairman.

BILLS AND RESOLUTIONS.

By Senator Burns:

Senate bill No. 246, A bill to be entitled "An Act to enable warehousemen and warehouse companies to dispose of unclaimed property left in their custody. and prescribing the method of disposing

of such property, and providing for the disposition of the proceeds of the sale of such property."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Yantis (by request):

Senate bill No. 247, A bill to be entitled "An Act to compel the repayment of money illegally demanded and paid, to pay for work done in good faith under an illegal contract."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Turney:

Senate bill No. 248, A bill to be entitled "An Act to reorganize the Forty-first Judicial District of Texas, to prescribe the time of holding the district court therein, to make the terms of the Thirty-fourth Judicial District of El Paso county to compare thereto, and to provide for a clerk of the district court of the Forty-first Judicial District in said El Paso county, and empowering the district court of the Thirty-fourth Judicial District to impanel the grand jury for said county and giving authority to the judges of either of said two courts in said El Paso county, to transfer causes from their respective courts to the other of said courts, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

By Senator Turney (by request):

Senate bill No. 249, A bill to be entitled "An Act making an appropriation to pay the heirs of J. H. Coleman, deceased, eight per centum interest on \$4,215.41 from January 1, 1875, to September 29, 1881, on claims of teachers of public schools of Texas for services rendered by said teachers in teaching the public free schools of Texas prior to the first day of July, 1873, and owned by the said J. H. Coleman, as assignee, prior to his death, and filed by him or his agent in the Comptroller's office of Texas, and are now held by William Coleman as an heir of said J. H. Coleman, deceased, and by transfer from A. R. Coleman, John H. Coleman and Isabella Coleman, the only other heirs of J. H. Coleman, deceased."

Read first time, and referred to Committee on Public Debt, Claims and Accounts.

By Senator Morriss:

Senate bill No. 250, A bill to be entitled "An Act to quiet titles to lands located and surveyed by virtue of land certificates granted under the Act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of

this State or the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and surveys."

Read first time, and referred to Committee on Public Lands and Land Office.

By Senator Sebastian:

Senate bill No. 251, A bill to be entitled "An Act to abolish the unorganized counties of Winkler and Loving, and to incorporate their territory in the county of Ward."

Read first time, and referred to Committee on Counties and County Boundaries.

Call concluded.

PENDING BUSINESS.

Senate bill No. 213, A bill to be entitled "An Act to appropriate the sum of two thousand dollars or so much thereof as may be necessary for the payment of the bonds, certificates and other evidences of indebtedness against the Republic of Texas that were valid claims, or might have been, upon proper presentation and proof, valid claims against the United States government under the Act of Congress approved February 28, 1855, and an Act of the Legislature of the State of Texas approved February 1, 1856, and to provide for the proof and verification of the same," action being on engrossment.

On motion of Senator Davidson pending business was suspended and the Chair laid before the Senate,

Senate bill No. 222, A bill to be entitled "An Act to authorize the Governor and Commissioner of the General Land Office to appoint not more than two agents for the public school lands of this State, to investigate and report upon the location, condition, use or occupancy of the unsold and unleased public school lands of this State, reporting the same to the Governor and said Commissioner," action being on final passage.

Bill read third time, and passed by the following vote:

Yeas—22.

Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Patterson.
Goss.	Potter.
Greer.	Ross.
Hanger.	Sebastian.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Absent.

Atlee.	Johnson.
Gough.	McGee.

Neal.
Stafford.

Stone.

Absent—Excused.

Odell.

Senator Davidson moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

On motion of Senator Miller, pending business was suspended, and the Chair laid before the Senate,

Substitute Senate bill No. 55, A bill to be entitled "An Act to establish and create in each of the cities, towns and villages of this State a State court, to be known as the Corporation Court in such city, town or village, and to prescribe the jurisdiction and organization thereof, and to abolish municipal courts," action being on the adoption of the House amendments thereto, to wit:

"Amend by adding to the end of Section 15 the following words: 'In all such case the fines imposed on appeal, together with the costs imposed in the corporation court and the court to which the appeal is taken, shall be collected of the defendant and his bondsmen, and such fine and the costs of the corporation court shall, when collected, be paid into the treasury of the city, town or village. When the defendant in such cases is committed to custody, he shall be committed to the custody of the chief of police or city marshal of such city, town or village, to be held by him in accordance with the ordinance of such city, town or village providing for the custody of prisoners convicted before such corporation courts, and said city, town or village shall be liable to the officers of the court to which the appeal is taken for the costs due them when such defendant has fully discharged such fine and costs. Such corporation court shall hold no terms, and shall be at all times open for the transaction of business.'"

Adopted February 24, 1899.

"Amend the committee report, on page 8, line 12, by changing the figures '15' to '16,' and in line 18 by changing the word 'submitted' to 'committed.'"

"Amend Section 14 by adding thereto the following after the word 'applicable,' in line 22, page 6: "Such court, in any city, town or village shall hold no term, but shall be deemed at all times open for the transaction of business, but each defendant shall be entitled to at least one day's notice of any complaint against him, if such time be demanded.'"

Adopted February 24, 1899.

Senator Miller moved that the Senate do concur in the House amendments.

Adopted.

Senator Miller moved to reconsider the vote by which the Senate concurred in the House amendments, and to lay that motion on the table.

Tabled.

HOUSE MESSAGE.

The following House message was received:

Hall of the House of Representatives,
Austin, Texas, March 13, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 540, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Shelby county, to conform to the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith."

Also House bill No. 412, A bill to be entitled "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes, relating to inspection of live stock, so as to place Randall county under the operation of said law, and remove Cochran, Cottle, Bailey, Parmer, Lamb and Hemp-hill counties from the operation of said law," with amendments.

Also House bill No. 568, A bill to be entitled "An Act to create a more efficient road system for Wood county, and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts upon the roads of said county and upon the county farm, and to provide for the summoning of teams for road work, and for an allowance of time for same, and fixing a penalty for a violation of this act, and to repeal all laws in conflict with this act as to Wood county."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

IN THE SENATE.

The above House bills were read first time, and referred as follows:

House bill No. 568, to Committee on Roads, Bridges and Ferries.

House bill No. 412, to Committee on Stock and Stock-raising.

House bill No. 540, to Committee on Judicial Districts.

PENDING BUSINESS.

The Chair laid before the Senate, pending business, Senate bill No. 213 (see caption above).

Bill read second time.

By Senator Greer:

"Amend the bill, page 2, line 8, by striking out the word 'creditible' and inserting in lieu thereof the word 'credible,' and further amend by adding to Section 3, after the word 'indebtedness' the following, 'and surrender such bond, certificate or other evidence of indebtedness,' and further amend by adding the word 'is' after the word 'as' line 22, page 2."

Adopted.

By Senator Greer:

"Add to Section 1 the following: 'And provided further, that the promissory notes, referred to in the Act of the Legislature of Texas, approved February 1, 1856, as being under Act of Congress of the Republic of Texas of date, June 7, 1837, but being really issued under Act of Congress of said Republic, approved June 9, 1837, are understood to be within the provisions of this act.'"

Adopted.

By Senator Davidson:

"Amend by adding to line 2, page 2, Section 1, the following: 'Provided, that no claim shall be paid out of this fund that has been refused payment by the government of the United States, and this shall be shown by the claimant.'"

By Senator Greer:

"Amend the amendment by striking out 'claimant' and insert in lieu thereof 'claimant's affidavit,' and add 'and provided, that mere failure to act on a claim shall not be construed as a refusal.'"

Adopted.

The amendment as amended was then adopted.

By Senator Grinnan:

"Amend by adding the following: 'No claim shall be paid under this act unless presented for payment within two years from the time this act goes into effect.'"

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Hanger.
Burns.	James.
Davidson.	Kerr.
Dibrell.	Lewis.
Greer.	Linn.
Grinnan.	Lloyd.

Miller.	Stafford.
Morriss.	Terrell.
Patterson.	Turney.
Potter.	Wayland.
Ross.	Yett.
Sebastian.	

Nays—1.

Goss.

Absent.

Gough.	Neal.
Johnson.	Stone.
McGee.	Yantis.

Absent—Excused.

Odell.

Bill read third time, and passed by the following vote:

Yeas—24.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Patterson.
Dibrell.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Present—Not voting.

Goss.

Absent.

Gough.	Neal.
Johnson.	Stone.
McGee.	

Absent—Excused.

Odell.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Tabled.

On motion of Senator Goss the regular order of business was suspended to take up, on second reading,

Senate bill No. 188, A bill to be entitled "An Act to provide a uniform method of electing school trustees in independent districts; defining the duties of such trustees in reference to the election of superintendents of schools, and the control of schools in such independent districts, and repealing Articles 4008, 4018, 4019, 4020 and 4021, of the Revised Civil Statutes, and all other laws, both general and special, in conflict with the provisions of this act, and providing an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Goss, the constitutional rule requiring bills to be read

on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Patterson.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Sebastian.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yantis.
Lewis.	Yett.
Lloyd.	

Absent.

Gough.	Neal.
Johnson.	Stafford.
Linn.	Stone.
McGee.	

Absent—Excused.

Odell.

Bill read third time, and passed by the following vote:

Yeas—24.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Patterson.
Goss.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Linn.	Yett.

Absent.

Gough.	Neal.
Johnson.	Stafford.
McGee.	Stone.

Absent—Excused.

Odell.

Senator Goss moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator James the regular order of business was suspended to take up, on second reading,

Senate bill No. 109, A bill to be entitled "An Act to amend Article 155, Title VI, Chapter 1, of the Penal Code of the State of Texas."

Bill read second time, and Senator James moved to substitute the *favorable* minority report of the committee for the *unfavorable* majority report.

Lost by the following vote:

Yeas—11.

Atlee.	Kerr.
Burns.	Potter.
Davidson.	Terrell.
Dibrell.	Yantis.
Grinnan.	Yett.
James.	

Nays—13.

Greer.	Patterson.
Hanger.	Ross.
Lewis.	Sebastian.
Linn.	Stafford.
Lloyd.	Turney.
Miller.	Wayland.
Morriss.	

Absent.

Goss.	McGee.
Gough.	Neal.
Johnson.	Stone.

Absent—Excused.

Odell.

On motion of Senator Dibrell the regular order of business was suspended to take up, on third reading,

Senate bill No. 60, A bill to be entitled "An Act to amend Article 1188, of Chapter 2, Title XXX, of the Revised Civil Statutes of the State of Texas (1895), relating to amendment of pleadings."

Bill read third time, and passed by the following vote:

Yeas—16.

Atlee.	Lloyd.
Burns.	Miller.
Davidson.	Patterson.
Dibrell.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
Kerr.	Wayland.
Lewis.	Yett.

Nays—7.

Gough.	Stafford.
Greer.	Terrell.
Linn.	Yantis.
Morriss.	

Absent.

Goss.	Neal.
James.	Stone.
Johnson.	Turney.
McGee.	

Absent—Excused.

Odell.

On motion of Senator Yett the regular order of business was suspended to take up, on second reading,

Senate bill No. 201, A bill to be entitled "An Act to refund to the various counties of this State the State's pro rata for compiling the delinquent tax record."

Bill read second time.

By Senator Yett:

"Amend by adding as follows:

"Section 3. The great amount of business before the Legislature rendering it improbable that this bill can be read on three several days, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so ordered.'"

Adopted.

Bill as amended ordered engrossed by the following vote:

Yeas—12.

Davidson.	Lloyd.
Dibrell.	Ross.
Goss.	Sebastian.
Grinnan.	Stafford.
Kerr.	Wayland.
Linn.	Yett.

Nays—11.

Burns.	Morriss.
Greer.	Patterson.
Hanger.	Potter.
James.	Terrell.
Lewis.	Yantis.
Miller.	

Absent.

Atlee.	Neal.
Gough.	Stone.
Johnson.	Turney.
McGee.	

Absent—Excused.

Odell.

On motion of Senator Miller the regular order of business was suspended to take up, on third reading,

Senate bill No. 215, A bill to be entitled "An Act defining the offense of defrauding hotel and boarding house keepers of their charges, and providing a penalty therefor."

Bill read third time, and passed.

On motion of Senator Grinnan the regular order of business was suspended to take up, on second reading,

Senate bill No. 183, A bill to be entitled "An Act to amend Articles 3972, 3973, 3973a, 3973b, 3973c, 3973d, 3974 (1) and (2), 3974a, 3974b, 3974c, 3974d, 3976, 3976a, 3976b, 3976c, 3980 and 3980a, Chapter 13, Title LXXXVI, Revised Civil Statutes, 1895, relating to boards of examiners and teachers."

(Senator Atlee in the chair.)

Bill read second time (in full at request of Senator Dibrell).

(Lieutenant-Governor Browning in the chair.)

By Senator Dibrell:

"Amend by striking out of the bill the following: 'Articles 3973a, 3973b, 3973d, 3974a, 3974b, 3974c, 3974d, 3976, 3976a,

3976b and 3980a, and making the caption of the bill conform thereto."

By Senator Goss:
"Amend the amendment by striking out 'Article 3974c.'"

BILLS SIGNED.

The Chair signed, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 133, "An Act to amend Section 12, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, changing the time of holding District Court in Trinity county."

House bill No. 77, "An Act to provide for a special road law for Denton county, Texas, to empower the commissioners of said county with special authority to act as road commissioners for said county, with power to purchase teams and tools for said work; to summon any one subject to road duty; also providing for penalty for failure to work; also providing for working upon public roads those who have not paid poll tax, with penalty for failure to work; also providing for amount that may be paid by each taxpayer in lieu of work, also compensation for commissioners when engaged in this duty."

House bill No. 400, "An Act granting permission to B. F. Gohlson and J. W. Benson, or their assigns, to bring suit against the State of Texas in the District Court of Lampasas county to ascertain the amount, if any, is due them for services rendered the State as rangers or soldiers."

House bill No. 529, "An Act to change and fix the times of holding the terms of the district court of the Thirteenth Judicial District."

House bill No. 146, "An Act to fix a time for holding the courts in the Forty-sixth Judicial District, and to repeal all laws in conflict therewith."

Pending action on the amendments to Senate bill No. 183 (see above), the Senate, on motion of Senator Terrell, adjourned until 10 o'clock tomorrow morning.

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas, Tuesday, March 14, 1899.

Senate met pursuant to adjournment. President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the fol-

lowing Senators answering to their names:

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.

Absent.

Gough.

Stone.

Absent—Excused.

Odell.

Prayer by the Chaplain, Rev. Dr. Denson.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

EXCUSED.

On motion of Senator Burns, Lieutenant-Governor Browning was excused for today and tomorrow on account of important business.

On motion of Senator Terrell, Senator Neal was excused for non-attendance yesterday on account of important business.

On motion of Senator Burns, Senator McGee was excused for non-attendance yesterday on account of important business.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 13, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 203, being a bill to be entitled "An Act to authorize the several counties in this State to invest the permanent school fund belonging to such counties in their own bonds, and to use the proceeds thereof for general county purposes, and to make the county liable for such investment,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.